

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE

CARMEN M. COLON CARRASQUILLO

DEBTOR

CASE NO. 10-07370-ESL

CHAPTER 13

MOTION AND NOTICE OF FILING OF POST-CONFIRMATION
MODIFICATION OF CHAPTER 13 PLAN

TO THE HONORABLE COURT:

COMES NOW, CARMEN M. COLON CARRASQUILLO debtor in the above captioned case through the undersigned attorney, and very respectfully states and prays as follows:

1. The debtor filed for relief under Chapter 13 of the Bankruptcy Code on August 13, 2010.
2. The past months the debtor has been experiencing some economic problems which have caused to accumulate some arrears with the Chapter 13 Plan Payments.
3. The debtor is able again to commence the payments to the plan, and debtor commences to pay the amount of \$328.00 in June 2012, in order to cure the post-petition arrears with Chapter 13 Plan.
4. Debtor will require the modification of his Plan to cure the arrears. Bankruptcy Code §1329 provide for modification of plan after confirmation in situations such as debtor.
5. A modified plan dated May 9, 2012, is attached.

NOTICE

Within twenty one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

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I CERTIFY that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants: debtor, Carmen M. Colon Carrasquillo; and parties in interest in the present case.

In San Juan, Puerto Rico this day 9th of May, 2012.

/s/ Roberto Figueroa Carrasquillo

ROBERTO FIGUEROA-CARRASQUILLO

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**United States Bankruptcy Court
District of Puerto Rico**

IN RE:

Case No. 10-07370-13COLON CARRASQUILLO, CARMEN MILAGROSChapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: <u>5/9/2012</u> <input type="checkbox"/> AMENDED PLAN DATED: _____ <input type="checkbox"/> PRE <input checked="" type="checkbox"/> POST-CONFIRMATION Filed by: <input type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other																										
I. PAYMENT PLAN SCHEDULE <table style="width:100%;"> <tr> <td>\$</td> <td align="right">270.00 x</td> <td align="center">14 =</td> <td>\$</td> <td align="right">3,780.00</td> </tr> <tr> <td>\$</td> <td align="right">310.00 x</td> <td align="center">5 =</td> <td>\$</td> <td align="right">1,550.00</td> </tr> <tr> <td>\$</td> <td align="right">0.00 x</td> <td align="center">2 =</td> <td>\$</td> <td align="right">0.00</td> </tr> <tr> <td>\$</td> <td align="right">328.00 x</td> <td align="center">39 =</td> <td>\$</td> <td align="right">12,792.00</td> </tr> <tr> <td>\$</td> <td align="right">x</td> <td align="center">=</td> <td>\$</td> <td align="right"></td> </tr> </table> <p align="right">TOTAL: \$ <u>18,122.00</u></p> <p>Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from: _____</p> <p><input type="checkbox"/> Sale of Property identified as follows: _____</p> <p><input type="checkbox"/> Other: _____</p> <p>Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____</p> <p>PROPOSED BASE: \$ <u>18,122.00</u></p>	\$	270.00 x	14 =	\$	3,780.00	\$	310.00 x	5 =	\$	1,550.00	\$	0.00 x	2 =	\$	0.00	\$	328.00 x	39 =	\$	12,792.00	\$	x	=	\$		II. DISBURSEMENT SCHEDULE A. ADEQUATE PROTECTION PAYMENTS OR \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. <u>RG MORTGAGE</u> Cr. _____ Cr. _____ # <u>1391381</u> # _____ # _____ \$ <u>1,130.04</u> \$ _____ \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. <u>FIRST BANK</u> Cr. <u>MUEBLERIA BERRIO</u> Cr. _____ # <u>100737170246405</u> # <u>509583901</u> # _____ \$ <u>8,347.61</u> \$ <u>2,067.71</u> \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: _____ 5. <input type="checkbox"/> Other: _____ 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: <u>RG MORTGAGE</u> C. PRIORITIES: The Trustee shall pay priorities in accordance with the law, 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) * "Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. The Debtor(s) shall seek court's authorization prior any use of funds." Debtor(s) to provide ADEQUATE PROTECTION PAYMENTS to FIRST BANK thru the Trustee in the sum \$100.00 per month for the next eight months or until confirmation. Debtor(s) to provide auto insurance upon maturity to FIRST BANK thru GT Insurance Group, Inc. Debtor(s) to provide ADEQUATE PROTECTION PAYMENTS to MUEBLERIA BERRIOS thru the Trustee in the sum \$30.00 per month for the next eight months or until confirmation. *Or as otherwise specified on proof of claim. Late filed claims filed by creditors will receive no distribution. "Surrenders collateral": Shares/savings in any Cooperativa/Asociacion/Bank. Debtor reserves the right to object claims after plan confirmation.
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\$	0.00 x	2 =	\$	0.00																						
\$	328.00 x	39 =	\$	12,792.00																						
\$	x	=	\$																							
III. ATTORNEY'S FEES (Treated as § 507 Priorities) Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>2,929.00</u>																										
Signed: <u>Carmen M. Colon</u> Debtor _____ Joint Debtor																										

COLON CARRASQUILLO, CARMEN
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